

Town of Newport
Regular Meeting of the Mayor and Commissioners
July 29, 2021

Pledge of Allegiance.

Commissioner Michael Capriglione was sworn in by Mayor Walker.

Mayor Walker called the meeting to order and announced that there were copies of the Public Comment Rules/Regulations available to the public and briefly reviewed them. The meeting was in compliance with the Delaware Open Meeting Act.

Attendance: Mayor Franklin Walker, Commissioner Michele MacDonald (late), Commissioner Joseph Stagliano, Town Manager Wendy King, Police Chief Mark Wohner, Solicitor N. Christopher Griffiths, Commissioner Michael Capriglione

Masks were offered to the public.

Mayor Walker appointed new Board of Adjustment members, Frank Romanowski, Jeff Biscoe and April Balliet to join current member Teri Bradbury. All ayes. Mayor Walker explained the process to the new board members. Solicitor Griffiths advised that a training session would be arranged to occur the same evening as the next hearing prior to that hearing. Council approved.

Town Manager's Report – The first of two installments of the American Rescue Plan money was received (\$280,468.56). A separate account was opened so those funds would not co-mingle with General Fund money. Bulk gas delivery was looked into per the suggestion of Commissioner Stagliano as a way of saving on the gas budget. It would not be beneficial for the town as we would have to install a gas pump onsite and our insurance liability would increase dramatically. Tax payments are steadily coming in. Budget notes. Two large transfer taxes were received and as a result, the town is within 21,000 of the annual expected revenue. Assistance was offered to any commissioner who had questions on reading the budget for understanding.

Mayor Walker advised that he came in to review the bank accounts and it was explained what each account was for and what it paid for.

Minutes from the meeting of June 25, 2021, were presented for approval. Commissioner Stagliano made a motion to approve and Commissioner MacDonald seconded. All ayes.

Commissioner MacDonald questioned the \$10,000 entry on the police uniform budget. It was an expense that will be paid for by a Criminal Justice Council grant that has been reimbursed but not posted to the account.

Police Chief's Report – June, 2021, department statistics. Upcoming meeting with DelDOT to discuss signage throughout town, specifically Market/Walnut/Ayre/James. Handed out DelDOT construction notice at the train tracks at Greenbank Road. State accreditation is almost complete. Officer Bell is transitioning to part-time until we can find a replacement. Police vehicle was struck on 141 (officer was fine). Entering a Narcan "leave-behind" program that trains family/friends to administer Narcan to an overdose victim.

Mayor Walker asked if a decision had been made about the part-time officer because as far as he knew, we did not offer part-time and it creates an issue because of benefits. He is coming off benefits and will be covering shifts at least until the officer who is on military leave returns. Mayor Walker asked if the completion of the accreditation meant that Chief Wohner would be on the road. Chief Wohner explained that there is a lot to be completed with the evidence room such as new software for tracking evidence, testing, firearms, secondary secure area. He asked if Chief is finding any antique items in the cleanout. Yes, and items will be destroyed per Superior Court and the

Attorney General's office. If an item is not needed, they will be destroyed and not put back on the street as Mayor Walker was concerned about that particularly.

Mayor Walker said that several members of council are concerned because there is a hiring freeze and asked Chief Wohner if he could wait a month without hiring? Council is still looking at the budget. Mayor Walker said that council needed to discuss the situation and asked that nothing be done without telling him. Chief Wohner's biggest concern at this time is that the officer in the reserves could be deployed and he cannot control that. He said that it takes longer than a month to run an employment process. Commissioner MacDonald said that sometimes replacing someone costs less than paying people overtime to keep the shifts filled. Mayor Walker believed that a month's overtime versus salary and benefits balances itself out and that things were still being considered. He went on to again state that the million dollars in salary and benefits cannot be sustained. Commissioner MacDonald replied that it was not the salary and benefits that were the problem, but that the income coming in was stagnant and that council should be thinking about ways to increase income. Mayor Walker wants to know where is the money and why is the money we have not adequate? There are a lot of vacant properties and that will change. He has provided the town manager with ideas, such as rental licenses, to look at to bring more money in. There is a rebellion going on with some businesses refusing to get licenses as he has seen it firsthand. The solicitor is working toward creating procedures for hearing business license/code cases in our court. Commissioner MacDonald made a comment that while unpopular, she believed that our taxes were too low based on the fact that in her personal case, her tax bill would not even cover trash removal for someone living outside of town having to provide their own trash service. Also, properties have not been assessed since 1983. *She added that there was a lawsuit filed by the American Civil Liberties Union and Community Legal Aid Society that alleged that Delaware was failing to provide adequate educational opportunities to disadvantaged students and that school property tax collections based on outdated assessments were partially to blame. Commissioner Capriglione commented that his property assesses quite a bit higher than Commissioner MacDonald's and that there are several businesses paying thousands of dollars and that he ran on a platform that he will never raise taxes. Mayor Walker said her tax money is going toward salary and benefits. He went on to say that he is evaluating what people are getting paid versus what they are doing and that it always runs through his mind whether or not two maintenance men is necessary and that we can't keep up our property and pay the salaries we are paying. He then talked about the maintenance necessary on the Old Town Hall may be beyond the scope of what our maintenance staff can do. The reglazing of the windows on the historic building will be expensive but worth it. He said he was expecting the estimate that came from Cassidy Painting to be twice the amount. The town has got to come down to reality. The sewer pumps need to be fixed. He wants the Old Town Hall to be a diamond. Council needs to look realistically and need to determine if two maintenance people are needed and if all the police officers are needed. Benefits may need to be taken away.

Alderman Court - \$25,266 court fines/costs collected in June, 2021.

Maintenance Report - The report is repetitive, but that is what maintenance is. The gutters are staying clean. Streets are being kept clean by sweeping and picking up trash after the trash company. One of the lift stations was painted. We will need to have some signs made with a phone number to contact if alarms go off. Code enforcement report was also attached. It's not wrong as commissioners to say something if they see something wrong.

Legal – Working on ordinances for code violations and business license violations to be heard in Court 42. No litigation update. Will discuss with town manager to see if a vacant property program would make sense for the town. Mayor Walker believed that was not a priority at this time.

Public Comment – Jeff Biscoe, Justis Street, wanted to know if there could be a gun auction for things in the Evidence Room. Mayor Walker commented that the town could not be involved with anything like that and the guns should not be put back into circulation. Commissioner Stagliano suggested raising business license fees based on the type of business and raising permit fees. Mayor Walker suggested that the town manager provide the fee schedule for business licenses. Town Manager King advised that the permit fees are based on job valuation and that it could be changed to a square footage format. Commissioner Stagliano wanted to know if it would be difficult for the maintenance department to go back to collecting trash. We would have to purchase a trash truck and pay the

same tipping fees. Commissioner Capriglione thought it was a good idea, but it would not work because having a hauler saves us money in the long run – no issues with time off, calling out sick, worker's compensation for injuries.

Commissioner MacDonald has been looking at other areas to see how other areas are managing. Other municipalities have utilities – electricity/water. It was fortunate that prior council rid of water service. Sewer pump house estimate was \$130,000 versus new pumps. Mayor Walker wants to meet the county executive to discuss these pumphouses.

Mayor Walker wanted confirmation from Chief Wohner that the seized cars are not being utilized by the police department.

Roads – Bob made up a list of roads that need to be fixed. There need to be swales put in on Ayre Street and in Stonehurst. Mayor Walker and Commissioner Stagliano rode around to prioritize the list. The next step will be to contact an asphalt contractor for estimates.

Old Town Hall – Cassidy Painting estimate came out to \$17,250 for the work planned (glaze/painting/wood repairs). Mayor Walker also wants a historic wood storm door. The building should last for 25 years after this work is completed. Commissioner MacDonald wanted to know if this work had to be done now. She understands the need to preserve the building. Commissioner Stagliano and Mayor Walker said they felt the windows and it was wet and that caulk should never have been used. Mayor Walker said the better question would be why audio-visual equipment was purchased and a new table built if the outside was not going to be cared for and that it is wise money spent. There was discussion about the historical society and building renovations.

Mayor Walker said that West Nile virus is being sprayed in Delaware.

Kevin Haigh, Augustine Street, had some questions/comments. The number of bid minimum/maximun for jobs. Local legislators have transportation funds available. Utility patches are not being done nicely. Asked if the Board of Adjustment is an advisory board. It is final. There was further discussion on the difference between the board of adjustment and the planning commission for the comprehensive plan.

Mayor Walker wanted to know if there are Standard Operating Procedures for the chief of police and the town manager and that council would be asking for something. What is done on a daily basis. Chief Wohner has policies on what are the responsibilities of a police chief are, but no two days are the same. As salaries and benefits are being looked at, council needs to look at their leaders on what they are doing and how they are doing them. Everyone is responsible for the budget. Chief Wohner advised that he is always looking for ways to save and cited an example of using state contract auto repair providers and not local shops for the police cars.

Alyssa Adams asked about the pumphouse. Mayor Walker advised it cannot be torn down. Private Property signs were taken down and replace with No Parking Tow Away. Chief Wohner asked about Highland Avenue extension and parking if it is not going to be allowed on Stonehurst. Mayor Walker said that if it's opened up for parking, then Commissioner Stagliano can park his trailer on the street. He cannot because there is an ordinance against trailers on the street. Mayor Walker does not want to rent out the pumphouse. The town will use it if needed. Chief Wohner said that if parking ordinances are being followed, parking should be allowed (if parking in the direction of traffic, not blocking a driveway, etc.). *There were multiple conversations going on – Mayor Walker/Solicitor Griffiths and Chief Wohner/April Balliet/Alyssa Adams. Mayor Walker said that the solicitor would like to go out and visit the pumphouse. There will need to be a conversation with residents there. Ms. Adams also asked about public burning. The fire marshal should be asked to confirm a burning ban and if someone is in violation.

Commissioner Capriglione made a motion to adjourn. Commissioner Stagliano seconded. All ayes

Meeting adjourned at 8:40 pm.

*Updated per request at the meeting of 8/19/2021